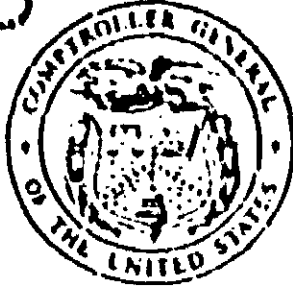


117468
DECISION



20755
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-205536

DATE: February 9, 1982

MATTER OF: Angeline V. Culfogienis, Inc.

DIGEST:

1. Protest that specifications did not reflect true needs of agency, where agency contends specifications are complete, is denied because specifications have been changed since protester's last award to reflect agency's needs.
2. The fact that solicitation packages contained dissimilar material was not improper where the material in question was provided as an illustrative sample of the kind of work required, which work was fully and specifically described in the solicitation specifications.

Angeline V. Culfogienis, Inc. (AVCI), protests the award of a contract to any firm other than itself under invitation for bids (IFB) No. F49642-81-B-0681, issued by the Department of the Air Force for the production of finished artwork for nine issues of the Air Reservist Magazine. AVCI, the incumbent, asserts that the IFB did not include certain work requirements necessary to produce the magazine, and that bidders other than AVCI did not include these allegedly necessary materials and services in computing their bids. AVCI also protests that the solicitation package sent to various bidders differed with respect to certain enclosures. Based on the following, we deny the protest.

In support of its allegation that the IFB does not include requirements necessary to produce the artwork being solicited, AVCI lists a variety of materials used and services which it states that it performed in producing the artwork under previous contracts.

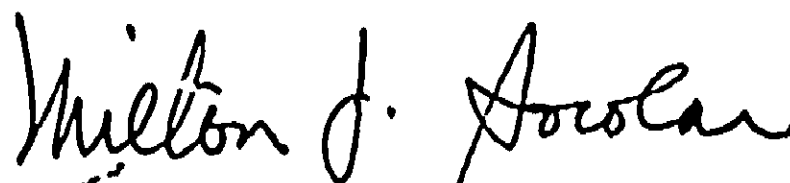
The Air Force states that the IFB includes all the services and materials which will be required, and that further materials or services, such as those listed by AVCI, need not be furnished by the awardee.

We note that the prior contracts held by AVCI were awarded by the General Services Administration and that the Air Force in issuing this IFB has changed the specifications. The solicitation specifically provides that it is the contractor's responsibility to provide "all plant, labor, equipment and materials necessary to provide furnished artwork." Thus, if materials and services in addition to those provided by the Government are needed to perform the contract, it is the contractor's responsibility to do so. Accordingly, we find the IFB clearly reflects the current requirements of the contracting agency and AVCI's protest on this basis is denied.

AVCI alleges that bidders received different and dissimilar material in their solicitations, presumably resulting in different bidder perceptions of what was required under the IFB. The Air Force states that the packages sent to prospective bidders included different issues of the Air Reservist Magazine because it did not have available a sufficient number of copies of the same issue to include in all of the 59 packages which were sent.

As the Air Force points out, the specifications fully stated the contract requirements without reference to the enclosed sample, and the magazine issues were included only as an example of the kind of artwork which was required under the IFB. Section "J" of the IFB specifically provided that the sample booklet (that is, the magazine issue) was provided only for reference purposes, and that it would not be part of any contract awarded. In view of this provision and the complete statement of the contract requirements contained in the IFB, we do not believe that the inclusion of different sample magazine issues had any material effect on the solicitation.

We deny the protest.

for 
Comptroller General
of the United States